ceip	ot d	ate: 09/14/2005	·	PAGREC'S PCT/PTO 14 SEP 2005					
FORM REV.			E PATENT & TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 124055					
	N D	ANSMITTAL LETTER TO THE ESIGNATED/ELECTED OF ONCERNING A FILING UNI	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/536,459						
		ONAL APPLICATION NO. 08/15005	PRIORITY DATE CLAIMED November 25, 2002						
TITLE OF INVENTION AGENT FOR TREATING RESPIRATORY DISEASES CONTAINING 4-HYDROXYPIPERIDINE DERIVATIVE AS ACTIVE INGREDIENT									
APPLICANTS FOR DO/FO/US Yasushige AKADA; Kazuyuki MATSUURA									
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:									
1.	1. This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.								
2.	\boxtimes	This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.							
3.		This is an express reques to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.							
4.		The US has been elected (Article 3	i 1).						
5 .		A copy of the International Application as filed (35 U.S.C. 371(c)(2))							
		a. is attached hereto (required only if not communicated by the International Bureau).							
		b. \square has been communicated by	the International Bureau.						
		c. 🔲 is not required, as the application was filed in the United States Receiving Office (RO/US).							
6.		An English language translation of the International Application as file (35 U.S.C. 371(c)(2))							
		a. 🔲 is attached hereto.							
		b. has been previously submitted under 35 U.S. 154(d)(4).							
		c.	n was filed in English.						
7.		Amendments to the claims of the Ir	nternational Application under PCT	Article 19 (35 U.S.C. 371(c)(3))					
		a. are attached hereto (required only if not communicated by the International Bureau).							
		b. have been communicated by the International Bureau.							
		c. have not been made; however	er, the time mit for making such	mendments has NOT expired.					
		d.	Il not be plade.						
8.		An English language translation of	the argendments to the claims und	der PC Article 19 (35 U.S.C. 371(c)(3)).					
9.		An oath or declaration of the invent	or(6) (35 U.S.C. 371(c)(4)).	\					
10.		An English language translation of (35 U.S.C. 371(c)(5)).	the annexes of the International P	reliminary Examination Report under PCT Article 36					
Item	s 11 t	o 20 below concern document(s)	or information included:	\					
11.	\boxtimes	An Information Disclosure stateme	nt under 37 CFR 1.97 and 1.98.	\					
12.		An assignment document for record	ding. A separate cover sheet in co	ompliance with 37 CFR 328 and 3.31 is included.					
13.		A preliminary amenyment.		\					
14.		An Application Data Sheet under 3	7 CFR 1.76.	· \					
15.		A substitute specification.		\					
16.		A power of attorney and/or change	of address letter.						
17.		A computer-readable form of the se	equence listing in accordance with	PCT Rule 13ter.2 and 37 CFR 1.821 - 825.					
18.		A second copy of the published inte	ernational application under 35 U.S	S.C. 154(d)(4).					
19.		second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).							
20		Othor itama as information.		1 1					

BASIC NaTIONAL FEE (37 CFR 1.492(a)):	1 0/536,459	ATTORNEY'S DOCKET 124055	NUMBER			
SEARCH FEE (37 CFR 1.492(b)(1)-(3)): International preliminary examination report or written opinion prepared by the USPTO as IPÇA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage —	21 The following fee	s are submitted:	<u> </u>		CALCULATIONS	PTO USE C
SEARCH FEE (37 CFR 1.492(b)(1)-(3)): International preliminary examination report or written opinion prepared by the USPTO as IPÇA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage —		•	•			
SEARCH FEE (37 CFR 1.492(b)(1)-(3)): International preliminary examination report or written opinion prepared by the USPTO as IPÇA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage —		: <u></u> :				
International preliminary examination report or written opinion prepared by the USPTO as IPCA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage				\$ 300.00		
the USPTO as IRA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage	SEARCH FEE (37 CFR 1.4	492(b)(1)-(3)):			\$	
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TOTAL OF ABOVE CACCULATIONS = \$ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½. SUBTOTAL = \$ Processing fee of \$130.00 for furnishing the English transfation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). TOTAL NATIONAL FEE = \$ Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 QFR 3.28, 3.31). \$40.00 per property TOTAL FEES ENCLOSED = \$ Amount to be refunded: \$ charged: \$ a. Check No. in the amount of \$ to cover the above fees is enclosed. b. Please charge my Deposit Account No. in the amount of \$ to cover the above fees. A duplicate copy of sheet is enclosed. c. In the Commissioner is fhereby authorized to charge any additional fees which may be required, at credit any overpaym Deposit Account Ny. 15-0461. A duplicate copy of this sheet is enclosed. C. Eese are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive 37 CFR 1.137(a) or (In the standard of the standa	INDEPENDENT CLAIMS	1		<u> </u>	·	
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Receipt date: 09/14/2005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In rethe Application of

Yasushige AKADA et al.

Application No.: 10/536,459

Group Art Unit: 1623

Filed: Max 25, 2005

Docket No.: 124055

For:

AGENAFOR TREATING RESPIRATORY DISEASES CONTAINING 4-HYDROXYPIPERIDINE DERIVATIVE AS ACTIVE INGREDIENT

FORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTØ-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of his application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- \boxtimes This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date of this non-PPA application, OR (b) before the mailing date of a first Office Action on the merits in the present application. No certification or fee is required.
- \bowtie Relevance of the references is discussed in the present specification. 2.

Respectfully submitted,

James A. Oliff

Registration No. 27,075

Jesse O. Collier

Registration No. 53,839

JAO: JOC/nxy

Date: September 14, 2005

OLIFF & BERRIDGE, PLC P.O. Box 19928

Alexandria, Virginia 22320

Telephondel (POE) PEGRETATION CES CONSIDERED EXCEPTION HOSTAGE WINDO IS NOTO UGH.

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our

Receipt date: 09/14/2005

Form PTO-1449 (REV. 8-83)		US Dept. of Commerce PATENT & TRADEMARK OFFICE		ATTY DOCKET NO. 124055			APPLICATION NO. 10/536,459			
INFOR	MATI	ON DISCLOSURE STATEMENT								
(Use several sheets if necessary)				APPLICANTS Yasushige AKADA et al.						
		· <u>.</u>		FILING DATE May 25, 2005			GROUP 1623			
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		DOCUMENT NUMBER]	DATE	C	OUNTRY		CLASS	SUB CLASS	
	1.	WO 93/02052 A1	02/04/1993		WIPO					
	2.	WO 00/06545 A1	02/10/2000		WIPO					
	3.	WO 02/22572 A2	03/21/2002		WIPO					
	<u> </u>									
		OTHER DOCUMENTS (Inc	cludin	g Author,	Title, Date, Pertine	nt Pages, etc.)				
	4.	Bruno S. HUEGI et al.; "Synthesis and Pharmacological Studies of 4,4-Disubstituted Piperidines: A New Class of								
	Compoundswith Potent Analgesic Properties"; J. Med. Chem.; 1983; Vol 26; pp. 42-50.									
										
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EXAMINER	/Taofiq Solola/ DATE CONSIDERED									
Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.										

Sheet 1 of 1